

AMENDMENT UNDER 37 C.F.R. § 1.111  
U.S. APPLN. NO. 09/740,952  
ATTORNEY DOCKET NO. Q62246

### **AMENDMENTS TO THE CLAIMS**

**This listing of claims will replace all prior versions and listings of claims in the application:**

#### **LISTING OF CLAIMS:**

1. (*Currently Amended*) A processing environment determining device for inclusion in a telecommunication network, comprising: ~~characterized in that said processing environment determining device comprises~~

a first retriever that ~~which~~ retrieves at least one processing capability information associated with any one of a terminal, a network element of a sub-network and a service provider equipment of a service provider of said telecommunication network; and ~~said processing environment determining device further comprises~~

an appointing device coupled to said first retriever to appoint, for a predefined service of a predefined client, according to predefined rules and conditions, and according to said processing capability information, one or more out of said terminal, said network element ~~elements~~ and said service provider equipment, and to determine a ~~thereby an appointed~~ processing environment ~~that has to be used to execute said predefined service,~~

wherein said first retriever retrieves said processing capability information from any one of a terminal capability server of said terminal via predefined terminal application open signals and a network service capability server of a sub-network via predefined network application open service architecture signals.

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2. (*Currently Amended*) The processing environment determining device according to claim 1, wherein ~~characterized in that~~ said predefined rules and conditions comprise ~~are~~ at least partly ~~determined by any one of:~~

user requirements and user preferences of a user that uses said terminal,  
operator requirements and operator preferences of an operator that exploits said network element,  
service provider requirements, and  
service provider preferences of a service provider that operates said service provider equipment.

3. (*Currently Amended*) The processing environment determining device according to claim 1, wherein ~~characterized in that~~ said processing environment determining device comprises a second retriever retrieving any one of ~~said~~ user requirements, ~~said~~ user preferences, ~~said~~ operator preferences, ~~said~~ server provider requirements, ~~said~~ service provider preferences from any one of said terminal, said network elements and said service provider equipment in order to update said predefined rules and conditions ~~accordingly~~.

4. (*Cancelled*).

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5. (*Currently Amended*) The processing environment determining device according to claim 1, wherein characterized in that said processing environment determining device comprises ~~is comprised in~~ any one of a terminal, a sub-network being any one of a home network, a visited network and an ~~a~~ intermediate network of said telecommunication network and a service provider equipment.

6. (*Currently Amended*) The processing environment determining device according to claim 1, wherein characterized in that said first retriever retrieves processing capability information ~~that is~~ associated with any one of a User Service Identity Module of said terminal and ~~a~~ terminal equipment of said terminal.

7. (*Currently Amended*) A terminal capability server of a terminal to be used in a telecommunication network, said terminal capability server translating ~~adapted to translate~~ first application signals into first predefined terminal application open signals and translating to ~~translate~~ second predefined terminal application open signals into second application signals, wherein characterized in that said first predefined terminal application open signals and said second predefined terminal application open signals comprises a processing capability environment determining device according to claim 1[[4]].

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8. (*Currently Amended*) A network service capability server of a sub-network of a telecommunication network, said network service capability server translating ~~adapted to translate~~ first application signals into first predefined network application open service architecture signals and translating ~~to translate~~ second predefined network application open service architecture signals into second application signals, wherein ~~characterized in that~~ said first predefined network application open server architecture signals and said second predefined network application open service architecture signals comprise processing capability information ~~in order~~ to be forwarded to a processing environment determining device according to claim 1[[4]].

9. (*Currently Amended*) A telecommunication network, comprising ~~characterized in that~~ said telecommunication network ~~comprises~~ at least one processing environment determining device according to claim 1.

10. (*Currently Amended*) A method to be used by a processing environment determining means of a telecommunication network, wherein ~~characterized in that~~ said method comprises ~~the steps of:~~

[[~~-~~]] retrieving by a first retrieving means (~~RET1~~) one or more processing capability information (~~P\_T1; P\_T2; P\_HN; P\_VN; P\_IN; P\_SPE~~) associated to any one of a user terminal (~~T1; T2~~), a network element (~~HNE; VNE; INE~~) of a sub-network (~~HN; VN; IN~~) and a service provider equipment (~~SPE~~) of a service provider (~~SP~~); and

[[~~-~~]] appointing by an appointing means (~~APP~~) for a predefined service of a predefined client, according to predefined rules and conditions, and according to said processing capability information (~~P\_T1; P\_T2; P\_HN; P\_VN; P\_IN; P\_SPE~~), one or more out of said terminal (~~T1; T2~~), said network elements (~~HNE; VNE; INE~~) and said service provider equipment (~~SPE~~) to determine thereby an appointed processing environment (~~P\_APP~~) that has to be used to execute said predefined service,

wherein said processing capability information is retrieved from any one of a terminal capability server of said terminal via predefined terminal application open signals and a network service capability server of a sub-network via predefined network application open service architecture signals.

11. (*New*) A processing environment determining means for inclusion in a telecommunication network, comprising:

a first retrieving means that retrieves at least one processing capability information associated with any one of a terminal, a network element of a sub-network and a service provider equipment of a service provider of said telecommunication network; and

an appointing means coupled to said first retrieving means to appoint, for a predefined service of a predefined client, according to predefined rules and conditions, and according to processing capability information, one or more out of said terminal, said network element and said service provider equipment, and to determine a processing environment to be used to execute said predefined service,

wherein said first retrieving means retrieves said processing capability information from any one of a terminal capability server of said terminal via predefined terminal application open signals and a network service capability server of a sub-network via predefined network application open service architecture signals.

12. (*New*) The processing environment determining device according to claim 11, wherein said predefined rules and conditions comprise at least one of:

- user requirements and user preferences of a user that uses said terminal,
- operator requirements and operator preferences of an operator that exploits said network element,
- service provider requirements, and
- service provider preferences of a service provider that operates said service provider equipment.

13. (*New*) The processing environment determining device according to claim 11, wherein said processing environment determining device comprises a second retrieving means retrieving any one of user requirements, user preferences, operator preferences, server provider requirements, service provider preferences from any one of said terminal, said network elements and said service provider equipment in order to update said predefined rules and conditions.

14. (*New*) The processing environment determining device according to claim 11, wherein said processing environment determining device comprises any one of a terminal, a sub-network being any one of a home network, a visited network and an intermediate network of said telecommunication network and a service provider equipment.

15. *(New)* The processing environment determining device according to claim 11, wherein said first retrieving means retrieves processing capability information associated with any one of a User Service Identity Module of said terminal and terminal equipment of said terminal.

16. *(New)* A terminal capability server of a terminal to be used in a telecommunication network, said terminal capability server translating first application signals into first predefined terminal application open signals and translating second predefined terminal application open signals into second application signals, wherein said first predefined terminal application open signals and said second predefined terminal application open signals comprises a processing capability environment determining device according to claim 11.

17. *(New)* A network service capability server of a sub-network of a telecommunication network, said network service capability server translating first application signals into first predefined network application open service architecture signals and translating second predefined network application open service architecture signals into second application signals, wherein said first predefined network application open server architecture signals and said second predefined network application open service architecture signals comprise processing capability information to be forwarded to a processing environment determining device according to claim 11.



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18. (*New*) A telecommunication network, comprising at least one processing environment  
determining device according to claim 11.